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Attorneys at Law

Suite 2800 1100 Peachtree St. Atlanta GA 30309-4530 t 404 815 6500 f 404 815 6555 www.KilpatrickStockton.com

September 29, 2005

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	Applicant:	Etsuko Koyanagi et al.	Land dead Outline Docket	
	Title:	Retry Communication Co	ontrol Method and System, Packet mination Method, Packet	
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TRANS	Filed:  PAPERS SUBMITTED:  1. PTO-1390 – 1  2. Response to Declaration, and Exhibit C calculation.  Date: September 2: By: Brenda O. Ho	Transfer Apparatus, Pacl Monitor Method, Call Cor Apparatus and Programs 10/523,348 01/28/2005  Transmittal form; and Notice of Missing Parts mailed Exhibit B copy of Form PCT/D form PTO-1390 showing miss 9, 2005 olmes, Reg. No. 40,339  COMPLETED BY KS OPE	ket Transfer System, Packet introl Apparatus, Monitor 44471/311941  1 07/29/05 with Exhibit A executed O/EO/905 (371 Formalities Notice); sing parts surcharge included in fee	

PTO-1380 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0851-0021
U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE cons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES	ATTORNEY'S DOCKET NUMBER 44471/311941
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/523,348
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED 07/30/2002
PCT/JP03/09683 07/30/2003  TITLE OF INVENTION Retry Communication Control Method and System, Packet Transfer Po Pecket Transfer System, Packet Monitor Method, Call Control Apparatu	ssibility Determination Method, Packet Transfer Apparatus, is, Monitor Apparatus and Programs
APPLICANT(S) FOR DOIEO/US Etsuko KOYANAGI, Satoshi MIYAYAMA,	Naotaka MORITA, and Shunsuke MOR
Applicant herewith submits to the United States Designated/Elected Office (DO/El	O/US) the following items and other information:
1. This is a FIRST submission of items concerning a submission under 35 U.S.C. 37	
2. This is a SECOND or SUBSEQUENT submission of items concerning a submission	on under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 3 (5), (6), (9) and (21) indicated balow.	71(f)). The submission must include items
4. The US has been elected (Article 31).	
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))	Ì
a. is attached hereto (required only if not communicated by the Internation	onel Bureau).
b. has been communicated by the International Bureau.	
c. is not required, as the application was filed in the United States Recei	ving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S	,C. 371(c)(2)).
a. is attached hereto.	
b. has been previously submitted under 35 U.S.C. 154(d)(4).	
7. Amendments to the claims of the International Application under PCT Article 19	9 (35 U.S.C. 371(c)(3))
a. are attached hereto (required only if not communicated by the Interr	national Bureau).
b. have been communicated by the International Bureau.	
c. have not been made; however, the time limit for making such amend	dments has NOT expired.
d. have not been made and will not be made.	
8. An English language translation of the amendments to the claims under PCT	Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	
10. An English language translation of the annexes of the International Preliminary Article 36 (35 U.S.C. 371(c)(5)).	Examination Report under PCT
Items 11 to 20 below concern document(s) or information included:	
11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.	
12. An assignment document for recording. A separate cover sheet in compliance	with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.	
14. An Application Data Sheet under 37 CFR 1.76.	
15. A substitute specification.	
16. A power of attorney and/or change of address letter.	
17. A computer-readable form of the sequence listing in accordance with PCT Rul	le 13ter.2 and 37 CFR 1.821- 1.825.
18. A second copy of the published International Application under 35 U.S.C. 154	
19. A second copy of the English tanguage translation of the International application	tion under 35 U.S.C. 154(d)(4).
20. Other items or information:  City consists of information is required by 37 CFR 1.414 and 1.491-1.482. The information is required.	to obtain or retain a benefit by the public, which is to file (and by

This collection of information is required by \$7 CFR 1.414 and 1.491-1.482. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, using agreeing information, preparing, and submitting the completed form to the USPTO. The will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing his burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2

PTO-1388 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0851-0021
U.S. Palent and Trademark Omce; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Etsuko KOYANAGI et al.

SERIAL NO.:

10/523,348

FILED:

01/28/2005

FOR:

Retry Communication Control Method And System, Packet Transfer Possibility Determination Method, Packet Transfer Apparatus, Packet Transfer System, Packet Monitor Method, Call Control Apparatus, Monitor Apparatus and

**Programs** 

ATTORNEY DOCKET NO.: 44471/311941

Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8
I hereby certify that this correspondence is being transmitted to the
United States Patent PCT International Application Facsimile Number
(571) 273-3201, on 2005.

Sil kins

Janie Wilkins DATE: September 29, 2005

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO.US)

Sir:

This paper is submitted in response to the "Notification of Missing Requirements" mailed on July 29, 2005. In response, an executed Declaration signed by inventors Etsuko KOYANAGI, Satoshi MIYAYAMA, Naotaka MORITA, and Shunsuke MORI is being submitted (Exhibit A) and a copy of the Notification of Missing Requirements under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO.US) (Exhibit B). Missing Parts surcharge of \$130.00 paid at time of filing of application as evidenced by copy of form PTO-1390 showing Missing Parts surcharge included in fee calculation, along with a copy of check no. 382145, attached as Exhibit C).

No other fee is believed to be due, however, if this belief is incorrect, the

Serial No. 10/523,348 Filed: January 28, 2005

Attorney Docket No. 44471/311941

Commissioner is authorized to debit Kilpatrick Stockton deposit account no. 11-0855 for any additional fees due.

Respectfully submitted,

Brenda O. Holmes

Registration No. 40,339

OF COUNSEL: KILPATRICK STOCKTON LLP 1100 Peachtree Street, Suite 2800 Atlanta, Georgia 30309-4530 (404) 815-6500 Appln. No. 10/523,348
Response Dated 09/29/2005
Response to Notice to File Missing Parts of 07/29/2005
Attorney Docket No. 44471/311941

### **EXHIBIT B**



### United States Patent and Trademark Office

Rec'd PCT/PTO 29 SEP 2005

UNITED STATES DEPARTMENT OF COMDERCE United States Putent and Trademark Office Address COMMISSIONER FOR PATENTS Adaptation, Voginia 22013-1450

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

10/523,348 Etsuko Koyanagi 44471/311941

23370 JOHN S. PRATT, ESQ KILPATRICK STOCKTON, LLP 1100 PEACHTREE STREET ATLANTA, GA 30309 AUG - 5 2005

**DOCKETING** 

PCT/JP03/09683

I.A. FILING DATE PRIORITY DATE
07/30/2003 07/30/2002

CONFIRMATION NO. 8308
371 FORMALITIES LETTER
IMAGENIA IN THE PROPERTY OCC000000016603066\*

Date Mailed: 07/29/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/28/2005
- English Translation of the IA filed on 01/28/2005
- Copy of the International Search Report filed on 01/28/2005
- Preliminary Amendments filed on 01/28/2005
- Information Disclosure Statements filed on 01/28/2005
- U.S. Basic National Fees filed on 01/28/2005
- Priority Documents filed on 01/28/2005
- Specification filed on 01/28/2005
- Claims filed on 01/28/2005
- Abstracts filed on 01/28/2005
- Drawings filed on 01/28/2005

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application
by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

KS Docketing

Docketed for:	9.29.05
Entered on:	8-24-05
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PAGE 12/17 \* RCVD AT 9/29/2005 4:25:04 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/33 \* DNIS:2733201 \* CSID:404 815 6555 \* DURATION (mm-ss):05-30

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Page 2 of 2

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

MAMIE P PERSON

Telephone: (703) 308-9140 EXT 227

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/523,348	PCT/JP03/09683	44471/311941

FORM PCT/DO/EO/905 (371 Formalities Notice)

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Appln. No. 10/523,348 Response Dated 09/29/2005 Response to Notice to File Missing Parts of 07/29/2005 Attorney Docket No. 44471/311941

### **EXHIBIT C**



PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007. OMB 0851-0021
U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB contral number. TRANSMITTAL LETTER TO THE UNITED STATES ATTORNEY'S DOCKET NUMBER 44471/311941 DESIGNATED/ELECTED OFFICE (DO/EO/US) U.S. APPLICATION NO. (II known, see 37 CFR 1,5) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 INTERNATIONAL APPLICATION NO PCT/JP2003/009683 INTERNATIONAL FILING DATE
July 30, 2003 PRIORITY DATE CLAIMED July 30, 2002 TITLE OF INVENTION

Relay Communication Control Method and System, Packet Transfer Possibility Determination Method. Packet Transfer Apparatus, Packet Transfer System. Packet Monitor Method. Call Control Apparatus. Monitor Apparatus and Programs APPLICANT(S) FOR DO/EO/US Etsuko KOYANAGI, Satoshi MIYAYAMA, Naotaka MORITA, and Shunsuke MORI Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: 1. This is a FIRST submission of Items concerning a submission under 35 U.S.C. 371. This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below, The US has been elected (Article 31). s. 🗶 A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. is attached hereto (required only if not communicated by the international Bureau). b. It has been communicated by the International Bursau. is not required, as the application was filed in the United States Rocslving Office (RO/US). 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. Is attached hereto. b. has been previously submitted under 35 U.S.C. 154(d)(4). , 🔀 Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are attached hereto (required only if not communicated by the International Bureau). have been communicated by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. d. Asve not been made and will not be made. 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). An eath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. An English language translation of the annexes of the International Proliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or Information included: 11. 💌 An Information Disclosure Statement under 37 CFR 1,97 and 1,98. 12. 🔲 An assignment document for recording. A separate covor sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. 🗷 A preliminary amendment An Application Data Sheet under 37 CFR 1.76. 15. 🗀 A substitute specification. 15. A power of attorney and/or change of address letter. A computer-readable form of the sequence listing in accordance with PCT Rule 13/er.2 and 37 CFR 1.821- 1.825. A second copy of the published International Application under 35 U.S.C. 154(d)(4), 19. A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4). Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C., 122 and 37 CFR 1.11 and 1.14. This collection is seamated to take 15 minutes to complete, including gathering Information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the trofidual case. Any comments on the emount of time you require to complete this form antifor suggestions for reducing this burden, should be sont to the Chief Information. U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS 10 THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patients, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2



PTO-1380 (Rev. 12-2004)
Approved for use through 3/31/2007, OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

	TION NO. (if known, see			INTERNATIONAL A PCT/JP200	APPLIC	ATION NO.	ATTORNEY'S DO	CKET NUMBER
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CLAIMS	NUMBER FIL	LED		NUMBER EXTRA		RATE	\$	
Total claims	80	- 20 =	60		×	\$50.00	\$ 3000	
Independent clair	ims 31	-3=	28	3	×	\$200.00	\$ 5600	
MULTIPLE DEPI	ENDENT CLAIM(S) (if ap	plicable)	_			\$360.00	\$ O	T
				TOTAL OF ABOVE			s 9480	
Applicant cl	laims small enlity status.	See 37 C	FR 1	1.27. The fees Indicated a	bove ar	re reduced	\$	
						SUBTOTAL =	s 10480	
	of \$130.00 for furnishing tr date (37 CFR 1.492(f)).	ne Englist	ı tran	nslation later than 30 mon	the from	n the earliest +	s 0	
			_	АТОТ	L NATI	ONAL FEE =	s 10480	
	the enclosed assignment e cover sheet (37 CFR 3.2			21(h)). The assignment mu 1.00 per property	ist be a	ccompanied +	s O	
			_	TOTAL F	EES E	NCLOSED =	\$ 10480	
				Ame	unt to	be refunded:		\$
				<b>A</b> m	ount to	o be charged		\$
a. A check	k in the amount of \$ 10	,480.0	0	to cover the abo	ve feer	s is enclosed.		<u> </u>
b. Please of A duplic	charge my Deposit Accordate copy of this sheet is	ount No		In the amount of \$	5	to co	ver the above fees.	
c. The Corr Account	mmissioner is hereby autr t No. <u>11-0855</u> . A du	norized to plicate co	char py of	irge any additional fees wh f this sheet is enclosed,	ılch mə	y be required, c	or credit any overpayment	to Deposit
d. Fees are be inclu	to be charged to a credition that the charge is to be charged to be charged to be consistent to be consistent to be consistent to be charged t	it card. W. de credit (	ARNI card I	IING: Information on this i Information and authorizate	orm mz	ay become publ PTO-2038.	ic. Credit card information	on should not
	n appropriate time limit t estore the luternational			R 1.495 has not been met to pending status. Cen			(37 CFR 1.137(a) or (b)) o	
SEND ALL CORF	RESPONDENCE TO:			=	H110	2	, ,	1 .
Customer N						Dres	ndalyo	elm
John S. Pra						SIGNATURE		
Kilpatrick \$6	tockton LLP						D. Holmes	
	htree Street, Suite	e 2800	j			NAME		
	30309-4530					0,339		
404.815.650	00				,	REGISTRATIO	N NUMBER	

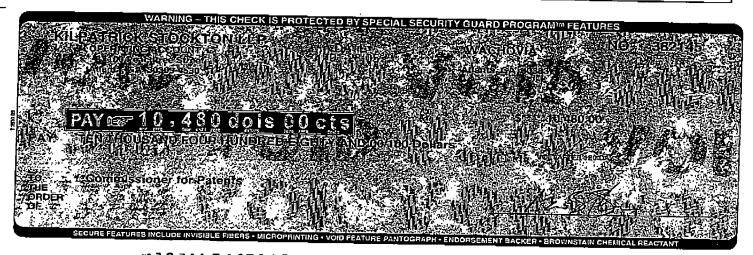
FORM PTO-1390 (REV. 12-2004)

Page 2 of 2

KILPATRICK STOCKTON LLP

### WACHOVIA A( NT NO: 2000131592388

REF.#:	G/L#	INVOICE #	INV, DATE	VENDOR # 24959 DESCRIPTION	CHECK #: 3821
551019	2099901000000000	012805Н	01-28-05	311941-U.S. National phase filing fee 80 total claims. 31 independent claims. 212 total sheets. Large entity.	10.480.00
				TOTAL	10,480,00



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